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FILED ELECTRONICALLY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation in Amendment of the Commission's Rules Regarding
Dedicated Short Range Communications Services in the 5.850-5.925 GHz Band (5.9 GHz
Band), WT Docket No. 01-90 and ET Docket No. 98-95**

Dear Secretary Dortch:

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 CFR § 1.1206(b), notice is hereby provided in the above-referenced dockets regarding an *ex parte* presentation made to representatives of the Wireless Telecommunications Bureau via teleconference by the Intelligent Transportation Society of America ("ITS America") and others on December 10, 2003. Participating on behalf of ITS America were Paul Najarian, Director of Telecommunications and Standards, and Robert Kelly and Mark Johnson of Squire, Sanders & Dempsey L.L.P., counsel to ITS America. Also participating was Broady Cash, a Senior Engineer with ARINC, Inc., who serves as Chair of the DSRC Standards Working Group of the American Society of Testing and Materials ("ASTM") Working Group E17.51.

Attending on behalf of the Wireless Telecommunications Bureau were John Muleta, Chief of the Bureau; Scott Delacourt, Associate Bureau Chief/Chief of Staff; Aaron Goldberger, Legal Counsel, Office of the Bureau Chief; Herb Zeiler, Deputy Chief (Technical) of the Bureau's Public Safety and Critical Infrastructure Division; Peter Daronco, Deputy Chief, Policy and Rules Branch in the Division; and Nancy Zaczek, an Attorney-Advisor in the Division.

The participants discussed issues related to the proposal that the Commission adopt into its rules a standard for DSRC services in the 5.9 GHz Band,¹ which standard was drafted by ASTM Working Group E17.51.

¹ ASTM E 2213-03, Standard Specification for Telecommunications and Information Exchange Between Roadside and Vehicle Systems – 5 GHz Band Dedicated Short Range Communications (DSRC) Medium Access Control (MAC) and Physical Layer (PHY).

Please do not hesitate to contact me if there are any questions regarding this submission.

Sincerely,

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Mark D. Johnson